

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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**BESSEMER SYSTEM FEDERAL CREDIT  
UNION, on behalf of itself and its members,**

Plaintiff,

vs.

Case No. 2:19-cv-00624-RJC

**FISERV SOLUTIONS, LLC, f/k/a FISERV  
SOLUTIONS, INC., and FISERV, INC.,**

Defendants.

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**BESSEMER’S MOTION TO COMPEL RESPONSES TO BESSEMER’S SECOND  
REQUEST FOR PRODUCTION**

Plaintiff Bessemer System Federal Credit Union, on behalf of itself and its members (“Bessemer”) by and through its attorneys Barclay Damon LLP, respectfully move this Court pursuant to Federal Rule of Civil Procedure (“FRCP”) 37(a)(3) to Compel Defendants Fiserv Solutions, LLC f/k/a Fiserv Solutions, Inc. and Fiserv, Inc. (collectively, “Fiserv”) to produce documents in response to Bessemer’s Second Request for Production.

Bessemer also moves for recovery of its reasonable attorneys’ fees and costs incurred in bringing this Motion pursuant to FRCP 37(a)(5)(A). The grounds for Bessemer’s motion are fully set forth in Bessemer’s accompanying Memorandum of Law in Support dated January 31, 2022 and the Declaration of Joy Peterson in support of Bessemer’s motion.

Dated: January 31, 2022

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Respectfully submitted,

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**CERTIFICATE OF CONFERENCE**

Pursuant to Federal Rule of Civil Procedure 37(a)(1), I hereby certify that on October 20, 2021, October 21, 2021, November 1, 2021, November 4, 2021, and December 2, 2021 counsel for Plaintiff conferred with counsel for Defendants in a good faith effort to resolve the issues raised by this Motion. The parties were unable to resolve the issues raised in this Motion because Defendants object to the relief sought in this Motion.

*/s/ Charles J. Nerko*

**Charles J. Nerko, Esq.**

*Counsel for Plaintiff Bessemer  
System Federal Credit Union*